

EXHIBIT 10

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11

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

16 IN RE CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION
17

Case No. C07-5944 SC

MDL NO. 1917

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

20 This Document Relates To:
21
ALL ACTIONS
22

**DECLARATION OF L. THOMAS
HEISER IN SUPPORT OF THE
HITACHI DEFENDANTS'
EVIDENTIARY PROFFER**

23 DECLARATION OF L. THOMAS HEISER

24 I, L. Thomas Heiser, declare:

25 1. I am President and Chief Executive Officer of Hitachi Electronic Devices (USA),
Inc. ("HED(US)"). I make this declaration in support of the Hitachi Defendants' proffer. I have
26 personal knowledge of the facts contained in this declaration, except for those, if any, based on
27 information and belief, and, if called as a witness, would and could competently testify to them.

28 DB2/22062123.7

MDL 1917

DECLARATION OF L. THOMAS HEISER IN SUPPORT OF

1 2. I have been employed by HED(US) since 1998 and have held a variety of
 2 positions within HED(US), including many in sales and management. Prior to my current
 3 position, I served as Senior Vice President and General Manager of Sales of HED(US). I have
 4 also served on HED(US)'s Board of Directors since April 2008. During my tenure at HED(US), I
 5 have held various management positions in which I had direct management responsibility for
 6 product development, sales, engineering, and manufacturing. As a result of my long tenure with
 7 HED(US) and the various positions I have held within the organization, I am familiar with
 8 HED(US)'s historical business, including sales and manufacturing and, in particular, its
 9 involvement in the color display tubes ("CDT tubes") and color picture tube ("CPT tubes")
 10 (jointly, "CRT") business. In my capacity as President and Chief Executive Officer of HED(US),
 11 as well as my service on the Board of Directors of HED(US), I am familiar with HED(US)'s
 12 business generally and, in particular, its involvement in the CRT industry.

13 3. Prior to being employed by HED(US), I was employed by the Electron Tube
 14 Division ("ELT Division") of Hitachi America, Ltd. ("HAL"). I began my tenure with the ELT
 15 Division in 1986 and held a variety of positions within that organization. During my tenure with
 16 HAL's ELT Division, I had direct management responsibility for the ELT Division's sale of CPT
 17 tubes and CDT tubes, and my final position within the organization was as Director of Sales for
 18 CRT tubes. As a result of my tenure at HAL, I am familiar with the ELT Division's historical
 19 business relating to CDT tubes and CPT tubes.

20 4. HED(US) was founded in February 1990 to manufacture CPT tubes. During all
 21 times relevant here, it has been headquartered in Greenville, South Carolina.

22 I. CPT Tubes

23 5. HAL never manufactured CPT tubes.

24 6. HAL's ELT Division sold CPT tubes from 1995 to April 1998 in the United
 25 States. The ELT Division of HAL sold CPT tubes manufactured by HED(US). As HAL never
 26 manufactured CPT tubes, neither did its ELT Division.

27 7. HED(US) first began manufacturing CPT tubes in December 1991.

28 8. In April 1998, HAL's ELT Division was merged into HED(US), thereby

1 combining the manufacturing of CPT tubes and sales of CPT tubes and sales of CDT tubes within
 2 HED(US).

3 9. Accordingly, HED(US) sold CPT tubes beginning in April 1998, after HAL's ELT
 4 Division was merged into HED(US).

5 10. HED(US) ceased manufacturing CPT tubes in April 2002.

6 11. HED(US)'s CPT tube customers were located in the United States, Mexico, and
 7 Canada. I am informed and believe that HED(US)'s sales to Canada were to mainly another
 8 Hitachi entity only.

9 12. Based upon my review of HED(US)'s business records, HED(US)'s final CPT
 10 tube sale took place on March 20, 2003. Attached hereto as Exhibit 1 is a true and correct copy
 11 of HED(US)'s CPT tube sales data, Bates labeled HEDUS-CRT00000162, which reflects
 12 HED(US)'s final CPT tube sale.

13 13. After April 2002, when HED(US) ceased manufacturing CPT tubes, HED(US)'s
 14 business activities with respect to CPT tubes were limited to selling off any remaining CPT tube
 15 inventory. I am informed and believe that HED(US) did not have any new sales activity after
 16 April 2002.

17 II. CDT Tubes

18 14. HED(US) never manufactured CDT tubes.

19 15. I am informed and believe that HAL's ELT Division sold CDT tubes in the United
 20 States from 1995 through April 1998; however, records regarding those sales no longer exist.
 21 HAL never manufactured CDT tubes.

22 16. HED(US) sold CDT tubes beginning in November 1998.

23 17. HED(US)'s final CDT tube sale took place on August 28, 2000. Attached hereto
 24 as Exhibit 2 is a true and correct copy of HED(US)'s CDT tube sales data, Bates labeled HEDUS-
 25 CRT00000002, which reflects HED(US)'s final CDT tube sale.

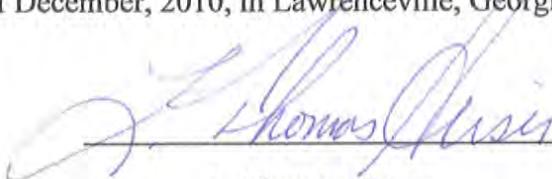
26 18. HED(US)'s CDT tube customers were located in the United States and Mexico.

1 III. CPT and CDT Finished Products

2 19. HED(US) never manufactured or sold CPT monitors or CPT televisions.
3 20. HED(US) never manufactured or sold CDT computer monitors.

4 I declare under the penalty of perjury under the laws of the United States of America and
5 the State of California that the foregoing is true and correct.

6 Executed this ____ day of December, 2010, in Lawrenceville, Georgia.

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8 L. Thomas Heiser 12/6/10

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